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1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 OTHER PERSONS PRESENT:

5 NICK ALBERTI, BOARD MEMBER

6 RUTHANNE MILLER, BOARD MEMBER

7 JAMES SHORT, BOARD MEMBER

8 MIKE SILVERSTEIN, BOARD MEMBER

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1 P R O C E E D I N G S

2 CHAIRPERSON ANDERSON: We are back on the
3 record and we are now going to do the legal
4 agenda. The first matter on the legal agenda is
5 to review a settlement agreement dated October 6,
6 2014 between ANC 6E and Shouka, license #100278.
7 I make a motion that we approve this settlement
8 agreement with modifications.

9 Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRPERSON ANDERSON: Mr. Alberti has
12 seconded the motion. Those in favor say Aye.

13 [Chorus of Ayes.]

14 Those opposed? [No audible response.]
15 The matter passed 5-zero-zero.

16 The second matter is to review a request
17 from Local #16 to accept their petition to
18 terminate the settlement agreement, it's Local
19 #16, license #060467. I make a motion that this
20 matter be approved. Is there a second?

21 MS. MILLER: Second.

22 CHAIRPERSON ANDERSON: Ms. Miller has

1 seconded the motion. Those in favor say Aye.

2 [Chorus of Ayes.]

3 Those opposed?

4 MR. ALBERTI: Opposed.

5 CHAIRPERSON ANDERSON: The matter passed
6 4 to 1 with Mr. Alberti in opposition.

7 The next matter agenda is to review a
8 petition to terminate a settlement agreement with
9 ANC 1C and Local #16, license #060467. I make a
10 motion that this matter be placarded. Is there a
11 second?

12 MS. MILLER: Second.

13 CHAIRPERSON ANDERSON: Ms. Miller has
14 seconded the motion. Those in favor say Aye.

15 [Chorus of Ayes.]

16 Those opposed?

17 MR. ALBERTI: Abstaining.

18 CHAIRPERSON ANDERSON: The matter passed
19 4-zero-1 with Mr. Alberti abstaining. The next
20 matter is a review of settlement agreement dated
21 April 25th between Aatish on the Hill and ANC 6B.
22 Aatish on the Hill restaurant license #025153. I

1 make a motion that this matter be approved with
2 modification. Is there a second?

3 MR. SILVERSTEIN: Second.

4 CHAIRPERSON ANDERSON: Mr. Silverstein
5 has seconded the motion. Those in favor say Aye.

6 [Chorus of Ayes.] Those opposed? [No
7 audible response.] The matter passed 4-zero-
8 zero.

9 The next matter on the agenda is an
10 Application for Safekeeping for & Pizza, license
11 #096845. I make a motion that we approve placing
12 this license in safekeeping through September 30,
13 2016. Is there a second?

14 MS. MILLER: Second.

15 CHAIRPERSON ANDERSON: Ms. Miller
16 seconded the motion. Those in favor say Aye.

17 [chorus of ayes] Those opposed? [No
18 audible response.] The matter passed 5-zero-
19 zero.

20 The fourth matter on our calendar is
21 again a review to place Application for
22 Safekeeping & Pizza, license #094712. I make a

1 motion that we approve placing this matter in
2 safekeeping through September 30, 2016. Is there
3 a second?

4 MR. ALBERTI: Second.

5 CHAIRPERSON ANDERSON: Mr. Alberti
6 seconded the motion. Those in favor say Aye.

7 [chorus of ayes] Those opposed? [No
8 audible response.] The matter passed 5-zero-
9 zero.

10 The next matter is to review a request to
11 extend safekeeping for the George Washington
12 University Club, License #026668. I make a
13 motion that we approve placing this license in
14 Safekeeping through September 30, 2016. Is there
15 a second?

16 MR. SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has
18 seconded the motion. Those in favor say Aye.
19 [chorus of ayes] Those opposed?

20 MR. ALBERTI: Opposed.

21 CHAIRPERSON ANDERSON: The matter passed
22 4-1 with Mr. Alberti in opposition.

1 The next matter is to review Extend
2 Safekeeping of license for M&T Grocery, Beer and
3 Wine, license #077390. I make the motion that we
4 place this license in safekeeping through
5 September 30, 2016. Is there a second?

6 MS. MILLER: Second.

7 CHAIRPERSON ANDERSON: Ms. Miller
8 seconded the motion. Those in favor say Aye.

9 [chorus of ayes] Those opposed? [No
10 audible response.] The matter passed 5-zero-
11 zero.

12 The next matter is to review and extend a
13 request to extend safekeeping status for Mr.
14 Smith's of Georgetown, license #000864. I make a
15 motion that this matter be set for fact finding.
16 Is there a second?

17 MR. ALBERTI: Second.

18 CHAIRPERSON ANDERSON: Mr. Alberti
19 seconded the motion. Those in favor say Aye.

20 [chorus of ayes] Those opposed? [No
21 audible response.] The matter passed 5-zero-
22 zero.

1 The next matter is to review Extend
2 Safekeeping status of Roxanne/Peyote, license
3 #060338. I make a motion that this matter be
4 referred for fact finding. Is there a second?

5 MR. SILVERSTEIN: Second.

6 CHAIRPERSON ANDERSON: Mr. Silverstein
7 has seconded the motion. Those in favor say Aye.

8 [chorus of ayes] Those opposed? [No
9 audible response.] The matter passed 5-zero-
10 zero.

11 The next matter is to review extend
12 safekeeping status of license for Club Chaos,
13 license #025541. I make a motion that this
14 matter be set for fact finding. Is there a
15 second?

16 MR. SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has
18 seconded the motion. All those in favor say aye.

19 [chorus of ayes] Those opposed? [No
20 audible response.] The matter passed 5-zero-zero.

21 The next matter is the review request to
22 increase sidewalk café seating from 70 to 72 for

1 Milk Bar City Center, license #098740. I make a
2 motion that this matter be approved. Is there a
3 second?

4 MS. MILLER: Second.

5 CHAIRPERSON ANDERSON: Ms. Miller
6 seconded the motion. Those in favor say Aye.

7 [chorus of ayes] Those opposed? [No
8 audible response.] The matter passed 5-zero-
9 zero.

10 The next matter is to review a request
11 for change of hours for The Arsenal, license
12 #090281. I make a motion that this matter be
13 approved. Is there a second?

14 MR. ALBERTI: Second.

15 CHAIRPERSON ANDERSON: Mr. Alberti
16 seconded the motion. Those in favor say Aye.
17 [chorus of ayes] Those opposed? [No audible
18 response.] The matter passed 5-zero-zero.

19 The next matter is to review a request to
20 add cover charge to an existing entertainment
21 endorsement for Washington Firehouse Restaurant,
22 license #092685. Is there a second?

1 MR. SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein
3 has seconded the motion. Those in favor say Aye.
4 [chorus of ayes] Those opposed? [No audible
5 response.] The matter passed 5-zero-zero.

6 The next matter is to review an
7 application for a Manager's License for Robert M.
8 Long. I make a motion that that this application
9 be approved. Is there a second?

10 MR. SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion. Those in favor say Aye.
13 [chorus of ayes] Those opposed? [No audible
14 response.] The matter passed 5-zero-zero.

15 We now move to our Supplementary
16 licensing agenda. The first matter on our
17 Supplementary licensing agenda is to review a
18 request to remove a license from safekeeping, ANC
19 26, L8, license #099695. I make a motion that
20 this be approved. Is there a second?

21 MR. SILVERSTEIN: Second.

22 CHAIRPERSON ANDERSON: Mr. Silverstein

1 has seconded the motion. Those in favor say Aye.

2 [chorus of ayes] Those opposed? [No audible
3 response.] The matter passed 5-zero-zero.

4 The next matter is review a request for a
5 stipulated license with letter support from ANC
6 2B for We Work, license #102006. I make a motion
7 that this matter be approved. Is there a second?

8 MS. MILLER: Second.

9 CHAIRPERSON ANDERSON: Ms. Miller has
10 seconded the motion. Those in favor say Aye.
11 [chorus of ayes] Those opposed? [No audible
12 response.] The matter passed 5-zero-zero.

13 The next matter is a review of request
14 for application of second summer garden with
15 seating of 21 patrons at Due South, license
16 #097053. I make a motion that that this matter
17 be placarded. Is there a second?

18 MS. MILLER: Second.

19 CHAIRPERSON ANDERSON: Ms. Miller has
20 seconded the motion. Those in favor say Aye.

21 [chorus of ayes] Those opposed? [No
22 audible response.] The matter passed 5-zero-

1 zero.

2 The next matter is to review a request to
3 withdraw an application for a new DR license
4 between ANC 6C and Starbuck's Coffee. license
5 #102023. I make a motion that this matter be
6 approved. Is there a second?

7 MS. MILLER: Second.

8 CHAIRPERSON ANDERSON: Ms. Miller has seconded
9 the motion. Those in favor say Aye.

10 [chorus of ayes] Those opposed? [No
11 audible response.] The matter passed 5-zero-
12 zero.

13 The next matter is to review a request to
14 withdraw an application for a new DR license
15 between ANC 2C and Starbuck's Coffee, license
16 #102480. I make a motion that this matter be
17 approved. Is there a second?

18 MR. SILVERSTEIN: Second.

19 CHAIRPERSON ANDERSON: Mr. Silverstein
20 has seconded the motion. Those in favor say Aye.

21 [Chorus of ayes] Those opposed? [No
22 audible response.] The matter passed 5-zero-

1 zero.

2 The next matter is to review a request to
3 withdraw an application for a new DR license
4 between ANC 2B and again Starbuck's Coffee,
5 license #102009. I make a motion that this
6 matter be approved. Is there a second?

7 MR. SHORT: Second.

8 CHAIRPERSON ANDERSON: Mr. Short has
9 seconded the motion. Those in favor say Aye.

10 [Chorus of ayes] Those opposed? [No
11 audible response.] The matter passed 5-zero-
12 zero.

13 We now have our second supplementary
14 license agenda, and the matter in this agenda is
15 to review application for a sidewalk café with
16 seating for eight patrons for My Canton
17 Restaurant, license #075479. I make a motion
18 that this matter be placarded. Is there a
19 second?

20 MR. SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein
22 has seconded the motion. Those in favor say Aye.

1 [Chorus of ayes] Those opposed? [No
2 audible response.] The matter passed 5-zero-
3 zero.

4 We now move to our cancellation agenda.
5 On our cancellation agenda, I move that the
6 Thomas Foolery license #092250. I make a motion
7 that that this license be canceled. Is there a
8 second?

9 MR. SILVERSTEIN: Second.

10 CHAIRPERSON ANDERSON: Mr. Silverstein
11 has seconded the motion. Those in favor say Aye.

12 [chorus of ayes] Those opposed? [No
13 audible response.] The matter passed five-zero-
14 Zero.

15 We now move to our Notice of meeting of
16 our Cease and Desist agenda for caterers. I make
17 a motion that all of the establishments on our
18 Cease and Desist Agenda for Caterers, that all of
19 these establishments be issued orders to Cease
20 and Desist from operating business. I make a
21 motion that all of these establishments receive
22 these notices.

1 Is there a second?

2 MR. SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion. Those in favor say Aye.

5 [chorus of ayes] Those opposed? [No
6 audible response.] The matter passed 5-zero-zero
7 that all of the establishments on our Cease and
8 Desist Agenda for Caterers, that Cease and Desist
9 orders be issued for all these establishments.

10 As the Chairperson of the Alcoholic
11 Beverage Control Board for the District of
12 Columbia in accordance with D.C. Official Code
13 Section 2-574B, closed meetings, and section 2-
14 574 Notice of Meetings of the Open Meetings Act,
15 I move that ABC Board hold a closed meeting on
16 May 4, 2016, for the purpose of discussing and
17 hearing reports concerning ongoing or planned
18 investigations of alleged criminal or civil
19 misconduct or violations of law or regulations
20 and seeking legal advice from our counsel on the
21 board's investigative legal and licensing agenda
22 for May 4, 2016, as published in the D.C.

1 Register on April 29, 201.

2 Is there a second?

3 MR. ALBERTI: Second.

4 CHAIRPERSON ANDERSON: Mr. Alberti has
5 seconded the motion. I will now take a vote on
6 the motion before us now that it has been
7 seconded. Ms. Miller?

8 MS. MILLER: I agree.

9 CHAIRPERSON ANDERSON: Mr. Short?

10 MR. SHORT: I agree.

11 CHAIRPERSON ANDERSON: Mr. Silverstein?

12 MR. SILVERSTEIN: I agree.

13 CHAIRPERSON ANDERSON: Mr. Alberti?

14 MR. ALBERTI: I agree.

15 CHAIRPERSON ANDERSON: The matter passes
16 4-zero-zero and, as it appears that the motion
17 has passed, I hereby give notice that the ABC
18 Board will hold this aforementioned closed
19 meeting pursuant to the Open Meetings Act.

20 Notice will also be posted on the ABC
21 Board's hearing bulletin board, placed on
22 electronic calendar on ABRA's website and

1 published in the D.C. Register in as timely a
2 manner as possible.

3 (Whereupon, at 5:55 p.m. the above-
4 entitled matter was concluded.)